

COMMISSIONERS APPROVAL

GRANDSTAFF

ROKOSCH *absent*

THOMPSON *at*

CHILCOTT *g*

DRISCOLL

Present.....Commissioner Carlotta Grandstaff,  
Commissioner Jim Rokosch, Commissioner Alan Thompson, and Commissioner Greg  
Chilcott

Date.....October 23, 2008

Minutes: Beth Perkins

- Commissioner Driscoll attended the New West Planning Conference for Land Use in Missoula for the day.
- The Board met for a public hearing for D&G Farms two-lot first minor subdivision and one unit subdivision for lease or rent. Present were Planner Tristan Riddell and Representative John Horat.

Commissioner Grandstaff called the hearing to order and requested any conflicts of interest. Hearing none, she then requested the Planning Staff report be read.

Tristan presented the Staff report as follows:

**D&G FARMS  
TWO-LOT FIRST MINOR SUBDIVISION AND ONE UNIT SUBDIVISION FOR  
LEASE OR RENT**

**STAFF REPORT FOR BOARD OF COUNTY COMMISSIONERS**

**CASE PLANNER:** Tristan Riddell

**REVIEWED/  
APPROVED BY:** John Lavey

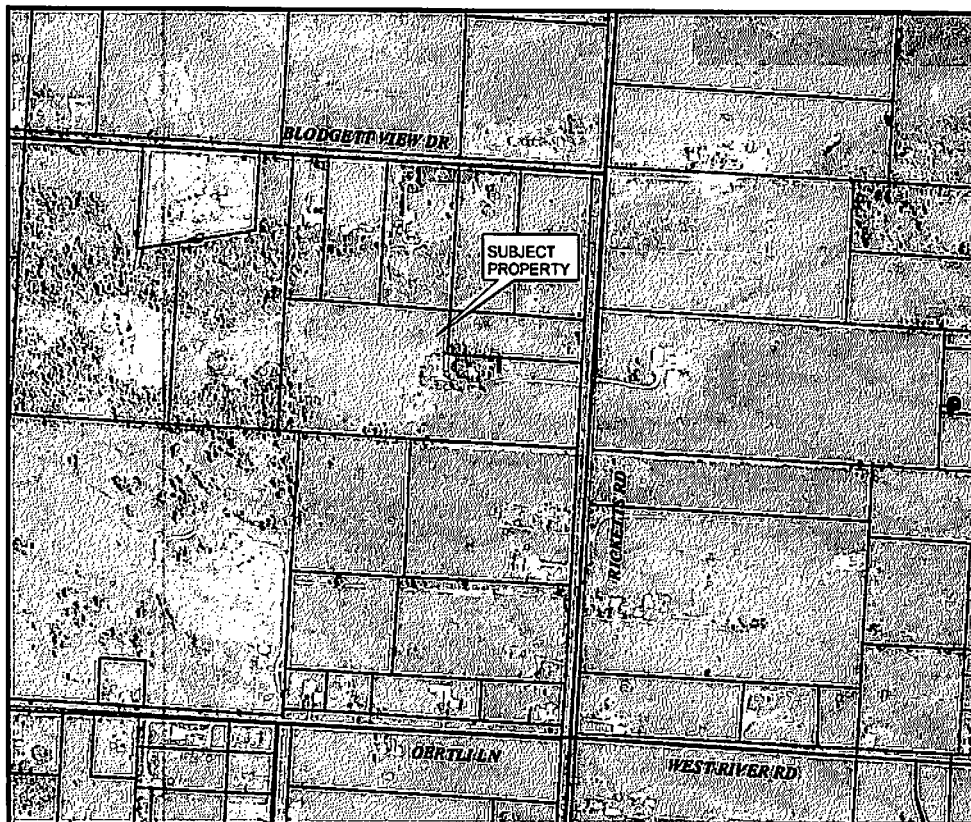
**PUBLIC MEETINGS:** BCC Public Meeting 9:00 a.m. October 23, 2008

Deadline for BCC action (35 working days): November 3, 2008

**SUBDIVIDERS:** D&G Farms  
663 Oak Avenue  
San Anselmo, CA 94960

**REPRESENTATIVE:** Bitterroot Engineering & Design  
1180 Eastside Highway  
Corvallis, MT 59828

**LOCATION OF REQUEST:** The property is located northwest of Hamilton  
off Ricketts Road. (See Map 1)



**Map 1: Location Map**  
(Source Data: Ravalli County GIS Department)

**LEGAL DESCRIPTION****OF PROPERTY:**

A portion of the NE ¼ of Section 23, T6N, R21W, P.M.M., Ravalli County, Montana.

**APPLICATION****INFORMATION:**

The subdivision application was determined complete on September 15, 2008. Agencies were notified of the subdivision and comments received by the Planning Department not included in the application packet are Exhibits A-1 through A-8 of the staff report. **This subdivision is being reviewed under the subdivision regulations amended May 24, 2007.**

**LEGAL NOTIFICATION:**

Notice of the project was posted on the property and adjacent property owners were notified by regular mail dated September 25, 2008.

**DEVELOPMENT****PATTERN:**

|                   |                                    |
|-------------------|------------------------------------|
| Subject property: | Low Density Residential            |
| North:            | Low Density Residential            |
| South:            | Conditionally Approved Subdivision |
| East:             | Agricultural                       |
| West:             | Low Density Residential            |

**INTRODUCTION**

The D&G Farms minor subdivision is a two-lot subdivision and one unit subdivision for lease or rent located on 17.14 acres located northwest of Hamilton off Ricketts Road. The proposed development is located in an area of low density residential use. There are two existing dwellings on the property. The applicant will be required to pay mitigation fees, including pro-rata, based on two units. Evidence showing that the property had been taxed since 1973 for both existing dwellings has not been submitted.

*Staff recommends conditional approval of the subdivision proposal.*

RAVALLI COUNTY BOARD OF COUNTY COMMISSIONERS

OCTOBER 23, 2008

D&G FARMS

TWO-LOT FIRST MINOR SUBDIVISION AND ONE UNIT SUBDIVISION FOR  
LEASE OR RENT

**RECOMMENDED MOTION**

That the D&G Farms minor subdivision and subdivision for lease or rent be ***approved***, based on the findings of fact and conclusions of law in the staff report and subject to the conditions in the staff report.

**RECOMMENDED MITIGATING CONDITIONS OF APPROVAL FOR THE  
SUBDIVISION**

1. A document entitled "Notifications to Future Property Owners" that includes the following notifications and the attachments listed below shall be included in the submittal of the final plat to the Planning Department and filed with the final plat:

***Notification of Proximity to Agricultural Operations.*** This subdivision is located near existing agricultural activities. Some may find activities associated with normal agricultural activities objectionable and dangerous. (*Section 3-2-8(b)(v)(B), RCSR, Effects on Agriculture*)

***Notification of Irrigation Facilities and Easements.*** Within this subdivision there are irrigation easements, as shown on the final plat. All downstream water right holders have the right to maintain and repair their irrigation facilities whenever necessary to keep them in good condition. Activities associated with the maintenance of irrigation facilities may include the operation of heavy equipment, the occasional burning of ditch vegetation, and the use of herbicides. Downstream water right holders must approve any relocation or alteration (e.g. installation of a culvert) of irrigation ditches/pipelines. Any act that damages or destroys a ditch, interferes with its operation or maintenance in any way, or restricts access to the ditch so as to interfere with its maintenance, which includes but is not limited to the placement of structures or the planting of vegetation other than grass, is expressly prohibited. (*Section 3-2-8(a) and Section 3-2-8(b)(v)(B), RCSR, Effects on Agricultural Water User Facilities*)

***Limitation of Access onto a Public Road.*** A "no-ingress/egress" restriction exists along the Ricketts Road frontage of this subdivision, excepting the common approach. Locations of the no-ingress/egress restrictions can be found on a reduced copy of the final plat. Additionally, a no-ingress/egress restriction traverses the entire length of the eastern and southern boundaries of Lot B, excepting the common approach. [*The applicant shall provide a reduced copy of the plat showing the no-ingress/egress zones.*] This limitation of access may be lifted or amended only with the approval of the Board of

Ravalli County Commissioners. (Section 3-2-8(b)(v)(B), RCSR, Effects on Local Services and Public Health and Safety)

**Notification of "Very Limited" Soils.** Within this subdivision there are areas of the property identified as potentially having soils rated as "very limited" for road construction and building sites. The approximate locations of these areas can be found on a reduced copy of the final plat and descriptions of the severe soils in question are included as exhibits to this document [*the applicant shall include the reduced plat and exhibits as attachments*]. (Section 3-2-8(b)(v)(B), RCSR, Effects on Public Health and Safety)

2. Protective covenants for this subdivision shall be submitted with the final plat that include the following provisions:

**Living with Wildlife.** Homeowners must accept the responsibility of living with wildlife and must be responsible for protecting their vegetation from damage, confining their pets, and properly storing garbage, pet food, livestock feed and other potential attractants. Homeowners must be aware of potential problems associated with the occasional presence of wildlife such as deer, elk, black bear, mountain lion, wolf, coyote, fox, skunk, raccoon and magpie. Each lot owner shall obtain or be provided and read a copy of the brochure "Living with wildlife," available from the Montana Fish, Wildlife & Parks office in Missoula for brochures that can help homeowners "live with wildlife." Alternatively, see FWP's web site at [www.fwp.mt.gov](http://www.fwp.mt.gov). (Section 3-2-8(b)(v), RCSR, Effects on Agriculture and Wildlife & Wildlife Habitat)

The following covenants are designed to help minimize problems that homeowners could have with wildlife, as well as helping homeowners protect themselves, their property and the wildlife that Montanans value.

- a. There is high potential for **vegetation damage by wildlife, particularly from deer** feeding on green lawns, gardens, flowers, ornamental shrubs and trees in this subdivision. Homeowners must be aware of this potential damage. They should be prepared to take the responsibility to plant non-palatable vegetation or protect their vegetation (fencing, netting, repellents) in order to avoid problems. Homeowners should consider landscaping with native vegetation that is less likely to suffer extensive feeding damage by deer.
- b. **Gardens, fruit trees or orchards** are a major wildlife attractant, and fruit-bearing trees and shrubs can regularly attract bears in the fall. Keep produce and fruit picked and off the ground, because ripe or rotting fruit or vegetable material can attract bears, skunks and other wildlife. Gardens should be fenced with one-foot of fencing material below ground level and be at least eight feet in height, in order to discourage wildlife such as deer from feeding in gardens. The top rail should be made of something other than wire to prevent wildlife from entanglement. Netting over gardens can help deter birds from eating berries. Electric fencing is necessary to

effectively prevent wildlife such as bears from entering a garden or fruit tree/shrub area, but only if the fence is properly constructed and regularly monitored and maintained to ensure proper use and function. Consult with the Montana Department of Fish, Wildlife and Parks on the proper techniques to develop and maintain an effective electric fence.

- c. If stored outdoors, **garbage** should be in secure bear-resistant containers; otherwise it should be stored indoors prior to curbside pick-up or transport to a centralized garbage collection site, in order to avoid attracting wildlife such as bears and raccoon. If curbside garbage pick-up is available, garbage cans may not be set out until the morning of garbage pickup and must be brought in no later than that same evening. (Consult Montana Fish, Wildlife & Parks for information on purchasing or constructing bear-resistant trash containers or storage areas.)
- d. **Do not feed wildlife** or offer supplements (such as salt blocks), attractants, or bait for deer or other wildlife. Feeding wildlife results in unnatural concentrations of animals that could lead to overuse of vegetation and disease transmission. Such actions unnecessarily accustom wild animals to humans, which can be dangerous for both. It is against state law (MCA 87-3-130) to purposely or knowingly attract bears with supplemental food attractants (any food, garbage, or other attractant for game animals) or to provide supplemental feed attractants in a manner that results in "an artificial concentration of game animals that may potentially contribute to the transmission of disease or that constitutes a threat to public safety." Also, homeowners must be aware that deer might occasionally attract mountain lions to the area.
- e. **Birdseed** is an attractant to bears, and outdoor birdfeeders are strongly discouraged from April 1<sup>st</sup> through the end of November. If used, bird feeders must: a) be suspended a minimum of 20 feet above ground level, b) be at least 4 feet from any support poles or points, and c) should be designed with a catch plate located below the feeder and fixed such that it collects the seed knocked off the feeder by feeding birds.
- f. **Pets** must be confined to the house, in a fenced yard, or in an outdoor kennel area when not under the immediate control of the owner, and not be allowed to roam as they can chase and kill big game and small birds and mammals. Under current state law it is illegal for dogs to chase hoofed game animals and the owner may also be held guilty (MCA 87-3-124). Keeping pets confined also helps protect them from predatory wildlife.
- g. **Pet food and livestock feed** must be stored indoors, in closed sheds or in animal-resistant containers in order to avoid attracting wildlife such as bears, mountain lions, skunks, raccoons, and other wildlife. **When feeding pets and/or livestock** do not leave food out overnight. Consider feeding pets indoors so that wild animals do not learn to associate food with your home.
- h. **Barbecue grills** should be stored indoors, and permanent outdoor barbecue grills are discouraged. Keep all portions of the barbecues clean.

Food spills and smells on and near the grill can attract bears and other wildlife.

- i. Consider **boundary fencing** that is no higher than 3-1/2 feet (at the top rail or wire) and no lower than 18 inches (at the bottom rail or wire) in order to facilitate wildlife movement and help avoid animals such as deer becoming entangled in the fence or injuring themselves when trying to jump the fence. We encourage the use of split rail fences.
- j. **Compost piles** can attract skunks and bears and should be avoided. If used they should be kept indoors or built to be wildlife-resistant. Compost piles should be limited to grass, leaves, and garden clippings, and piles should be turned regularly. Adding lime can reduce smells and help decomposition. Do not add food scraps. (Kitchen scraps could be composted indoors in a worm box with minimum odor and the finished compost can later be added to garden soil.)
- k. Purchasers of lots within this subdivision must recognize that portions of this subdivision are about ½ mile or less from the Bitterroot River where lawful waterfowl hunting and the associated discharge of shotguns could occur from early morning until sunset, and the season can run from September into January.
- l. **Apiaries (bee hives)** could attract bears in this area and should be avoided. (If used, consult Montana Fish, Wildlife & Parks or the U.S. Fish & Wildlife Service for help in planning and constructing an apiary system that will help deter bears.)
- m. Residents of this subdivision must recognize that the subdivision is located about one-half mile from the Bitterroot River and its associated sloughs and wetlands, where lawful waterfowl hunting and the associated **discharge of shotguns** could occur from a half-hour before sunrise through sunset, and the season can run from September into January.
- n. These “living with wildlife” covenants cannot be altered or eliminated without consent of the governing body (Ravalli County Commissioners).

**Lighting for New Construction.** To promote public health and safety, reduce energy consumption, and reduce impacts to nocturnal wildlife, full cut-off lighting is recommended for any new construction within this subdivision. A full cut-off fixture means a fixture, as installed, that is designed or shielded in such a manner that all light rays emitted by the fixture, either directly from the lamps or indirectly from the fixture, are projected below a horizontal plane through the lowest point on the fixture where light is emitted. The source of light should be fully shielded on the top and sides, so as not to emit light upwards or sideways, but only allowing light to shine down towards the subject that is to be lighted. For more information, visit [www.darksky.org](http://www.darksky.org).  
(Section 3-2-8(b)(v)(B), RCSR, Effects on Public Health & Safety)

**Radon Exposure.** The owner understands and accepts the potential health risk from radon concentrations, which are presently undetermined at this location. Unacceptable levels of radon can be reduced through building

design and abatement techniques incorporated into structures. Property owners are encouraged to have their structures tested for radon. Contact the Ravalli County Environmental Health Department for further information. *(Section 3-2-8(b)(v)(B), RCSR, Effects on Public Health & Safety)*

**Control of Noxious Weeds.** A weed control plan has been filed in conjunction with this subdivision. Lot owners shall control the growth of noxious weeds on their respective lot(s). Contact the Ravalli County Weed District for further information. *(Section 3-2-8(b)(v)(B), RCSR, Effects on Agriculture and Natural Environment)*

**Access Requirements for Lots within this Subdivision.** The Ravalli County Fire Council, which includes the Hamilton Rural Fire Department, has adopted the Fire Protection Standards. All accesses, including driveways to residences over 150' in length, must have a minimum unobstructed travel surface width of 20', a vertical clearance of 13'6" and an all-weather surface that can accommodate the weight of a fire truck. Please contact the Hamilton Rural Fire Department for further information. *(Section 3-2-8(b)(v), RCSR, Effects on Local Services and Public Health & Safety)*

**Building Standards.** The Ravalli County Fire Council recommends that houses within this subdivision be built to International Residential Building Code (IRBC) building standards. It is recommended that any commercial buildings be constructed to meet state building code requirements. *(Section 3-2-8(b)(v), RCSR, Effects on Local Services and Public Health & Safety)*

**Wood Stoves.** The County recommends that home owners refrain from installing wood stoves if possible. The County further recommends that wood and other biomass burning stoves not be used as the primary heat source. If a homeowner chooses to burn wood as a back-up heat source, the County strongly encourages them to install an EPA-certified wood stove as the best option to reduce air pollution and more specifically, to install an EPA-certified pellet stove. More information on low emission, EPA-certified wood stoves is available at <http://www.epa.gov/woodstoves/index.html>. The State of Montana offers an Alternative Energy Systems Tax Credit to offset the cost of purchasing and installing a low emission wood or biomass combustion device such as a pellet or wood stove. Besides the tax credit for qualifying wood stoves, individual Montana residents can claim a tax credit for energy conservation investments made to a home or other building. For more information on the energy conservation tax credits and ways to save energy, please see the *Warm Hearts, Warm Homes* webpage (<http://deq.mt.gov/Energy/warmhomes/index.asp>) on the Montana Department of Environmental Quality's website. *(Section 3-2-8(b)(v)(B), RCSR, Effects on the Natural Environment)*

**Archeological Resources.** If any archaeological, historic, or paleontological sites are discovered during road, utility, or building construction, all work will cease and



the State Historic Preservation Office shall be contacted to determine if the find constitutes a cultural resource and if any mitigation or curation is appropriate. *(Section 3-2-8(b)(v), RCSR, Effects on Natural Environment)*

**Amendment.** Written governing body approval shall be required for amendments to provisions of the covenants that were required to be included as a condition of subdivision approval. *(Effects on all six criteria)*

3. The subdividers shall include an RSID/SID waiver in a notarized document filed with subdivision plat that states the following: Owners and their successors-in-interest waive all rights in perpetuity to protest the creation of a city/rural improvement district for any purpose allowed by law, including, but not limited to a community water system, a community wastewater treatment system, and improving and/or maintaining the roads that access the subdivision including related right-of-way, drainage structures, and traffic control signs. *(Section 3-2-8(b)(v)(B), RCSR, Effects on Local Services)*
4. Prior to final plat approval, the subdividers shall provide a letter from the Hamilton Rural Fire District stating that the subdividers have provided the required 1,000 gallon-per-minute water supply or 2,500 gallon-per-lot water storage for fire protection for all lots. Alternatively, the subdividers may provide evidence that a \$500 contribution has been submitted to the Hamilton Rural Fire District with the final plat submittal in lieu of the required water supply or water storage for fire protection. *(Section 3-2-8(b)(v), RCSR, Effects on Local Services and Public Health & Safety)*
5. The following statement shall be shown on the final plat: "The Ravalli County Fire Council, which includes the Hamilton Rural Fire District, has adopted the Fire Protection Standards. All accesses, including driveways to residences over 150' in length, must have a minimum unobstructed travel surface width of 22', a vertical clearance of 13'6" and an all-weather surface that can accommodate the weight of a fire truck. Please contact the Hamilton Rural Fire District for further information". *(Section 3-2-8(b)(v), RCSR, Effects on Local Services and Public Health & Safety)*
6. The subdividers shall submit a (amount) contribution to the Ravalli County Treasurer's Office to be deposited into an account for Public Safety Services (Sheriff, E-911, DES) prior to final plat approval. *(Section 3-2-8(b)(v)(B), RCSR, Effects on Local Services and Public Health & Safety)*
7. The subdividers shall submit a letter or receipt from the Hamilton School District stating that they have received a (amount) contribution prior to final plat approval. *(Section 3-2-8(b)(v)(B), RCSR, Effects on Local Services)*
8. The final plat shall show a no-ingress/egress zone along the Ricketts Road frontage and along the driveway easement for Lot A, excepting the common

approach. *(Section 3-2-8(b)(v)(B), RCSR, Prerequisites to Approval, Effects on Local Services and Public Health and Safety)*

9. The final plat shall show a 10-foot wide irrigation easement along the irrigation ditches traversing portions of Lot A and B. *(Section 3-2-8(b)(v)(B), RCSR, Effects on Agricultural Water User Facilities)*
10. The subdividers shall submit a common access maintenance agreement in accordance with Section 3-1-5(a)(xxxviii) of the RCSR. *(Section 3-2-8(b)(v)(B), RCSR, Effects on Local Services)*
11. Prior to final plat approval, the subdividers shall submit a letter from the Hamilton Rural Fire District indicating that they have accepted the widening of the driveway accessing Lot B, as requested in a letter dated September 17, 2008. *(Section 3-2-8(b)(v)(B), RCSR, Effects on Local Services and Public Health and Safety)*

#### **FINAL PLAT REQUIREMENTS (RAVALLI COUNTY SUBDIVISION REGULATIONS)**

*The following items shall be included in the final plat submittal, as required by the Ravalli County Subdivision Regulations, Section 3-4-4(a) et seq.*

1. A statement from the project surveyor or engineer prior to final plat approval outlining how each final plat requirement or condition of approval has been satisfied.
2. One paper and two mylar 18" x 24" or larger copies of the final plat, completed in accordance with the Uniform Standards for Final Subdivisions Plats (ARM 8.94.3003). (One paper copy may be submitted for the first proofing.) The final plat shall conform to the preliminary plat decision. The features listed in RCSR Section 3-4-4(a)(ii) are required on the Final Plat. Following are specific features related to this subdivision:
  - a) Existing and proposed utility easements, as shown on the preliminary plat, shall be shown on the final plat. *(see also, Prerequisite to Approval A)*
  - b) 10-foot irrigation easements shall be shown on the final plat. *(Condition 9)*
3. The original copy of the preliminary plat decision shall be submitted with the final plat submittal.
4. Any variance decisions shall be submitted with the final plat submittal.
5. Copies of extensions of the preliminary plat approval period shall be submitted with the final plat submittal.
6. The final plat review fee shall be submitted with the final plat submittal.
7. Consent to Plat form, including notarized signatures of all owners of interest, if the developer is not the underlying title holder, shall be submitted with the final plat submittal.
8. A Title Report or updated Abstract dated no less than one (1) year prior to the date of submittal shall be submitted with the final plat submittal.

9. The DEQ Certificate of Subdivision Approval or RCEH approval shall be submitted with the final plat submittal.
10. The approved Ground Disturbance and Noxious Weed Management Plan for the control of noxious weeds and the re-vegetation of all soils disturbed within the subdivision shall be submitted with the final plat submittal.
11. Final Road and Driveway approach and encroachment permits from RCRBD.
12. Utility availability certification(s) shall be submitted with the final plat submittal.
13. A notarized statement from each downstream water user specifically authorizing any alteration, such as installation of culverts, bridges, etc., or relocation of any ditch.
14. Protective covenants to be filed with the final plat that are signed and notarized shall be submitted with the final plat submittal.
15. Copies of permits issued by the Bitterroot Conservation District or the US Army Corps of Engineers when construction occurs on environmentally sensitive features shall be submitted with the final plat submittal.
16. A copy of the letter sent to the Hamilton School District stating the applicant has made or is not willing to make a voluntary contribution to the school district to mitigate impacts of the subdivision on the school district that are not related to capital facilities; shall be submitted with the final plat submittal.
17. The applicant shall pay the pro rata share of the cost to improve the portion of Bowman Road and Rickets Road leading to the subdivision from U.S. Highway 93 prior to final plat approval. The pro-rata assessment shall be based on 2 units. (Section 5-4-5(d), RCSR)
18. Evidence that improvements have been made in accordance with the conditions of approval and requirements of final plat approval and certified by the subdivider, Professional Engineer, or contractor, as may be appropriate and required, shall be submitted with the final plat submittal. Alternatively, an improvements agreement and guaranty shall be required. (Refer to Section 3-4-2.) Following are specific improvements required for this subdivision:
  - Construction of a common driveway in accordance with Section 5-4-7 of the RCSR.
  - The driveway serving Lot B shall be widened to a 20-foot wide gravel surface with an unobstructed vertical clearance not less than 13 feet 6 inches.

## **SUBDIVISION REPORT**

### **COMPLIANCE WITH PREREQUISITES TO APPROVAL**

Section 3-2-8(a) of the RCSR states that the BCC shall not approve or conditionally approve a subdivision application and preliminary plat unless it establishes by credible evidence that the proposed subdivision meets the following requirements:

- A. Provides easements for the location and installation of any planned utilities.**

#### Findings of Fact

1. Existing utility easements are located along Ricketts Road. (Application)
2. The property has two existing homes, each of which is currently being served by Northwestern Energy and Quest Communications. (Application)
3. *Existing and proposed utility easements are required to be shown on the final plat. (Final Plat Requirement 2)*

#### Conclusion of Law

The proposed subdivision application provides for utility easements.

#### **B. Provides legal and physical access to each parcel within the subdivision and the notation of that access is included on the applicable plat and in any instrument transferring the parcel.**

##### Findings of Fact

1. The subject property is accessed from U.S. Highway 93, Bowman Road, and Ricketts Road. (Application)
2. U.S. Highway 93 is a state maintained roadway that provides legal and physical access. (Application)
3. Bowman Road and Ricketts Road are county-maintained roadways that provide both legal and physical access to the proposed subdivision. (Application and Exhibit A, RCSR)
4. *To ensure legal and physical access to the subdivision the following requirements shall be met:*
  - *The final plat shall show a no-ingress/egress zone along the Ricketts Road frontage and along the driveway easement for Lot A, excepting the common approach. (Condition 8)*
  - *Prior to final plat approval, the subdividers shall submit a final approach permit, for the common access, issued by the Ravalli County Road and Bridge Department. (Final Plat Requirement 11)*
  - *The applicant is required to pay the pro rata share of the cost to improve the portions of Bowman Road and Ricketts Road leading to the subdivision prior to final plat approval, and shall obtain a pro-rata determination from the Ravalli County Road and Bridge Department. (Compliance with Applicable Regulations 'A', and Final Plat Requirement 17)*

#### Conclusion of Law

With the requirements of final plat approval, legal and physical access will be provided on U.S. Highway 93, Bowman Road, and Ricketts Road.

- C. Assures that all required public or private improvements will be installed before final plat approval, or that their installation after final plat approval will be guaranteed as provided by Section [3-4-2] of these regulations.**

Finding of Fact

The applicant is required to submit evidence that the following improvements have been made in accordance with the conditions of approval and requirements of final plat approval and certified by the subdividers prior to final plat approval (Final Plat Requirement 11):

- The common approach shall be constructed in accordance with the approach permit issued by the Ravalli County Road and Bridge Department, and in accordance with Condition 10.

Conclusion of Law

The final plat requirements or an improvements agreement and guaranty will ensure that all improvements are installed.

- D. Assures that the requirements of 76-3-504(1)(j), MCA, regarding the disclosure and disposition of water rights as set forth in Chapter 5 have been considered and will be accomplished before the final plat is submitted.**

Finding of Fact

1. The subdivision has the following water rights (Application):
  - DNRC right 76H 111327 00, which appropriates 192.98 gallons per minute (GPM) from Blodgett Creek.
  - DNRC right 76H 111326 00, which is a court decreed right from Blodgett Creek for stock water purposes.
2. The stock water right will be retained with Lot B and the irrigation right will be reallocated between Lots A and B.
3. There are two irrigation ditches that traverse the property in a west to east direction. The southernmost of the ditches culminates on the property. (Preliminary Plat)
4. The placement of structures or the planting of vegetation other than grass within irrigation easements is prohibited. (76-3-504(1)(k) MCA).
5. *To ensure that the provisions of 76-3-504(1)(k) MCA are met, the following requirement and condition shall be met prior to final plat approval:*
  - *The final plat shall show a 10-foot wide irrigation easement along the irrigation ditches traversing portions of Lot A and B. (Final Plat Requirement 2 & Condition 9)*

Conclusion of Law

With the requirement and condition of final plat approval, this prerequisite will be met.

- E. Assures that the requirements of 76-3-504(1)(k) MCA, regarding watercourse and irrigation easements as set forth in Chapter 5 have**

**been considered and will be accomplished before the final plat is submitted.**

**Findings of Fact**

1. 76-3-504(1)(k) MCA states that, except as provided in subsection (1)(k)(ii) (the proposal does not meet the criteria in this subsection), the subdividers are required to establish ditch easements in the subdivision that:
  - (a) are in locations of appropriate topographic characteristics and sufficient width to allow the physical placement and unobstructed maintenance of open ditches or belowground pipelines for the delivery of water for irrigation to persons and lands legally entitled to the water under an appropriated water right or permit of an irrigation district or other private or public entity formed to provide for the use of the water right on the subdivision lots;
  - (b) are a sufficient distance from the centerline of the ditch to allow for construction, repair, maintenance, and inspection of the ditch; and
  - (c) prohibit the placement of structures or the planting of vegetation other than grass within the ditch easement without the written permission of the ditch owner.
2. The placement of structures or the planting of vegetation other than grass within the irrigation easement is prohibited. (76-3-504(1)(k) MCA).
3. *To ensure that the provisions of 76-3-504(1)(k) MCA are met, the following requirement and condition shall be met prior to final plat approval:*
  - *The final plat shall show a 10-foot wide irrigation easement along the irrigation ditches traversing portions of Lot A and B. (Final Plat Requirement 2 & Condition 9)*

**Conclusion of Law**

With the requirement and condition of final plat approval, this prerequisite will be met.

**F. Provides for the appropriate park dedication or cash-in-lieu, if applicable.**

**Finding of Fact**

Parkland dedication is not required of minor subdivisions creating only one additional lot. Furthermore, when a subdivision is proposed which creates lots greater than 5 acres in size, parkland dedication is not required. (RCSR Section 6-1-5 (b)(1))

**Conclusion of Law**

Because only one additional lot is proposed and the proposed lots are greater than 5 acres in size, this prerequisite is not required.

**COMPLIANCE WITH APPLICABLE REGULATIONS**

Section 3-2-8(b) of the RCSR states that in approving, conditionally approving, or denying a subdivision application and preliminary plat, the BCC shall ensure the

subdivision application meets Section 3-2-8(a) above, and whether the proposed subdivision complies with:

**A. These regulations, including, but not limited to, the standards set forth in Chapter 5.**

Findings of Fact

1. The lot layout as indicated on the preliminary plat appears to meet the design standards in Chapter 5 of the RCSR.
2. This development plan proposal has followed the necessary application procedure and has been reviewed within the procedures provided in Chapter 3 of the Ravalli County Subdivision Regulations.
3. The applicant provided evidence regarding the status of an existing home and trailer located on the property. The information was intended to provide credible evidence proving that the home and the trailer have been in place since the enactment of the Montana Subdivision and Platting Act (MSPA) of 1973. Staff concluded that because evidence showing that the property has been taxed for two dwellings was not provided, mitigation would be assessed for two units. (Application, Effects on Local Services)
4. *To ensure that all provisions of the Ravalli County Subdivision Regulations are complied with, the applicant shall pay the pro-rata share, for two units, of the cost to bring Bowman Road and Ricketts Road to County Standards. (Final Plat Requirement 17)*

Conclusions of Law

1. The preliminary plat and subdivision application meet all applicable standards required in the RCSR.
2. The procedures for the application and review of this proposed subdivision have been followed.

**B. Applicable zoning regulations.**

Findings of Fact

1. The subject property is under the jurisdiction of the interim zoning regulation limiting subdivisions to a density of one dwelling per two acres (recorded as Resolution 2193). The application complies with Resolution 2193.
2. The property is not within one of the voluntary zoning districts in Ravalli County.

Conclusion of Law

This proposal appears to comply with existing zoning regulations.

**C. Existing covenants and/or deed restrictions.**

Finding of Fact

There are no existing covenants on the property.

Conclusion of Law

There are no covenants that apply to this property.

**D. Other applicable regulations.**

Findings of Fact

1. Following are regulations that may apply to this subdivision:
  - Montana Subdivision and Platting Act, Title 76, Chapter 3, MCA
  - Montana Sanitation in Subdivisions Act, Title 76, Chapter 4, MCA
  - Ravalli County Subsurface Wastewater Treatment and Disposal Regulations
  - Montana Standards for Subdivision Storm Drainage (DEQ Circular 8)
  - Applicable laws and policies requiring permits related to development (U.S. Army Corps of Engineers, Bitterroot Conservation District, Ravalli County Road & Bridge Department, Montana Department of Transportation, Montana Department of Environmental Quality, etc.)
2. The applicants were made aware of the applicable regulations at the pre-application conference held on December 31, 2007.

Conclusion of Law

The application appears to meet all of the applicable regulations.

**E. The MSPA, including but not limited to an evaluation of the impacts of the subdivision on the following criteria:**

**CRITERION 1: EFFECTS ON AGRICULTURE**

Findings of Fact:

1. The proposed minor subdivision on 17.14 acres will result in 2 lots that range in size from 7.00 acres to 10.14 acres. The property is located approximately 1.5 miles west of the city of Hamilton off Ricketts Road. (Application)
2. In a letter dated August 27, 2008, State Conservationist Dave White of the Natural Resource Conservation Service confirmed that the NRCS soils staff would no longer utilize the farmland of local importance soils classification, per the request of the Bitterroot Conservation District. (Exhibit A-1)
3. During a phone conversation on September 24, 2008, Julie Ralston of the Bitterroot Conservation District summarized the reasoning for eliminating the farmland of local importance soils classification. (Exhibit A-2)
4. The NRCS Web Soil Survey indicates that there are no prime farmlands or farmlands of statewide importance found on the property (Application).
5. The property has two existing homes (Lot B) and one additional home-site will be created (Lot A). (Application)
6. The applicant submitted a Ravalli County Subdivision Noxious Weed Evaluation Form that stated spotted knapweed is scattered across the property. (Application)
7. Any person proposing a development that needs state or local approval and that results in the potential for noxious weed infestation within a weed district shall notify the weed board at least 15 days prior to activity. Consequently, 15 days prior to activities requiring a revegetation plan, such as road construction, a plan



shall be submitted to the weed board for approval by the board. (7-22-2152, MCA)

8. *Following are conditions and requirements of final plat approval that will mitigate the impacts of the subdivision on agriculture:*
- *A notification of proximity to agricultural operations shall be included in the notifications document filed with the final plat. The protective covenants, also filed with the final plat, shall include a provision requiring homeowners to keep pets confined to the house, a fenced yard, or in an outdoor kennel. (Conditions 1 and 2)*
  - *The approved Ground Disturbance and Noxious Weed Management Plan is required to be submitted prior to final plat approval. (Final Plat Requirement 10)*
  - *A noxious weed control provision shall be included in the protective covenants filed with the final plat for this subdivision. (Condition 2)*

Conclusions of Law:

With the mitigating conditions of approval and requirement of final plat approval, the impacts of the subdivision on agriculture will be reduced.

**CRITERION 2: EFFECTS ON AGRICULTURAL WATER USER FACILITIES**

Findings of Fact

1. The subdivision has the following water rights (Application):
  - DNRC right 76H 111327 00, which appropriates 192.98 gallons per minute (GPM) from Blodgett Creek.
  - DNRC right 76H 111326 00, which is a court decreed right from Blodgett Creek for stock water purposes.
2. The stock water right associated with an existing well on Lot B will be retained with said lot and the irrigation right will be reallocated between Lots A and B.
3. There are two irrigation ditches that traverse the property in a west to east direction. The southernmost of the ditches culminates on the property. (Preliminary Plat)
2. The placement of structures or the planting of vegetation other than grass within the irrigation easement is prohibited. (76-3-504(1)(k) MCA).
3. *To ensure that the provisions of 76-3-504(1)(k) MCA are met, the following requirement and conditions shall be met prior to final plat approval:*
  - *The final plat shall show 10-foot wide irrigation easements along both irrigation ditches traversing the property. (Final Plat Requirement 2 and Condition 9)*

Conclusion of Law

With the mitigating condition of approval and requirement of final plat approval, the impacts of the subdivision on agricultural water user facilities will be reduced.

### **CRITERION 3: EFFECTS ON LOCAL SERVICES**

#### **Findings of Fact:**

##### **Fire District**

1. The subdivision is located within the Hamilton Rural Fire District. (Application)
2. The Hamilton Rural Fire District has adopted Fire Protection Standards, which address access, posting of addresses, and water supply requirements. The Fire District also recommends that houses within this subdivision be built to International Residential Building Code (IRBC) building standards. (Exhibit A-3)
3. In a letter dated September 17, 2008, Lisa Wade of the Hamilton Rural Fire District provided comment specific to the D&G Farms proposal. The letter states that the fire department approves of the proposal for lots to be accessed via driveways as long as the driveways are constructed to be 20 feet wide with gravel travel surfaces and have an unobstructed vertical clearance of not less than 13 feet 6 inches. (Exhibit A-4)
4. Montana Department of Revenue records indicate that the property has only been assessed taxes for one dwelling unit (farmhouse constructed in 1895). (Application)
5. *The following conditions will mitigate impacts of the subdivision on the Fire District:*
  - *Provisions shall be included in the covenants requiring that addresses are posted as soon as construction begins, and that all driveways over 150 feet meet the standards of the Fire District. (Condition 2)*
  - *The covenants shall include a provision recommending that houses are built to meet IRBC standards. (Condition 2)*
  - *Prior to final plat approval, the subdividers shall provide a letter from the Hamilton Rural Fire District stating that the subdividers have provided the required 1,000 gallon-per-minute water supply or 2,500 gallon-per-lot water storage for fire protection for all lots. Alternatively, the subdividers may provide evidence that a \$500 contribution has been submitted to the Hamilton Rural Fire District with the final plat submittal in lieu of the required water supply or water storage for fire protection. (Condition 4)*
  - *The following statement shall be shown on the final plat: "The Hamilton Rural Fire District has adopted Fire Protection Standards. All accesses, including driveways to residences over 150' in length, must have a minimum unobstructed travel surface width of 22', a vertical clearance of 13'6" and an all-weather surface that can accommodate the weight of a fire truck. Please contact the Hamilton Rural Fire District for further information". (Condition 5)*
  - *Prior to final plat approval, the subdividers shall submit a letter from the Hamilton Rural Fire District indicating that they have accepted the widening of the driveway accessing Lot B, as requested in a letter dated September 17, 2008. (Condition 11)*

#### School District

6. Notification letters were sent to the Hamilton School District requesting comments on August 22, 2008 and September 25, 2008, but no comments have been received from the School District. (Subdivision File)
7. The cost per pupil for one year in the Hamilton School District, excluding capital costs, is \$6,619. Taxes from new residents may not be immediately available to the school districts. (Exhibit A-5)
8. Montana Department of Revenue records indicate that the property has only been assessed taxes for one dwelling unit (farmhouse constructed in 1895). (Application)
9. *Staff recommends that the applicant negotiate a contribution with the BCC, in consultation with the Hamilton School District, if possible, to mitigate potential impacts on the School District. (Condition 7 and Final Plat Requirement 16)*

#### Water and Wastewater Districts

10. Individual wells and wastewater treatment systems are proposed to serve the lots. The property is not near any municipal water or wastewater systems. (Application)

#### Law Enforcement and County Emergency Services (Sheriff, E-911, DES)

11. The Ravalli County Sheriff's Office provides law enforcement services to this area. (Application)
12. Notification letters were sent to the Ravalli County Sheriff's Office requesting comments on August 22, 2008 and September 25, 2008, but no comments have been received from the Sheriff's Office.
13. The average number of people per household in Ravalli County is 2.5. (Census 2000)
14. Montana Department of Revenue records indicate that the property has only been assessed taxes for one dwelling unit (farmhouse constructed in 1895). (Application)
15. *To mitigate impacts on local services, the subdividers shall submit a (amount) contribution to the Ravalli County Treasurer's Office to be deposited into an account for Public Safety Services (Sheriff, E-911, DES) prior to final plat approval. (Condition 6)*

#### Emergency Services

16. Ambulance services will be provided by Marcus Daly Memorial Hospital EMS Dept. Marcus Daly was contacted but no comments have been received to date. (Subdivision File)

#### Solid Waste Services

17. Bitterroot Disposal provides solid waste service to this site. (Application)
18. Notification letters were sent to Bitterroot Disposal requesting comments on August 22, 2008 and September 25, 2008, but no comments have been received. (Subdivision File)

#### Utilities

19. Both dwelling units within the proposed subdivision are currently being served by Northwestern Energy and Qwest Communications. (Application)
20. Notification letters were sent to both utility companies requesting comments on August 22, 2008 and September 25, 2008, but no comments have been received to date. (Subdivision File)
21. *The following requirements will mitigate impacts of the subdivision on local utilities:*
  - *Existing and proposed utility easements shall be shown on the final plat. (Final Plat Requirement 2)*
  - *The applicant shall submit utility availability certifications from Northwestern Energy and Qwest Communications prior to final plat approval. (Final Plat Requirement 14)*

#### Roads

22. Ricketts Road provides access to the subdivision from Bowman Road and US Highway 93. Ricketts Road and Bowman Road are county-maintained and U.S. Highway 93 is state operated. (Application and Exhibit A, RCSR)
23. The applicant has proposed to access both Lots via a common driveway from an existing approach. Lot A will be accessed along a private driveway easement that traverses the eastern and southern edge of the property.
24. Section 5-4-5 (d) of the Ravalli County Subdivision Regulations requires the applicant to pay the pro-rata share of the cost to improve non-county standard county-maintained roads.
25. The definition of pro-rata found within the RCSR relieves the developer from paying the pro-rata share for homes that have been in place on the proposed subdivision site prior to the enactment of the Montana Subdivision and Platting Act (MSPA) of 1973.
26. The applicant has not submitted credible evidence to the Planning Department demonstrating that both residential units on proposed Lot B have been in place since the enactment of the MSPA. (Staff Determination)
27. *To mitigate impacts on the roads leading to the subdivision, the following conditions and requirements shall be met:*
  - *To mitigate potential impacts of this subdivision on any possible future public water, sewer system, or improvements to the road system, the RSID/SID waiver filed with the final plat shall address these services/facilities. (Condition 3)*
  - *The final plat shall show a no-ingress/egress zone along the Ricketts Road frontage and along the driveway easement for Lot A, excepting the common approach. (Final Plat Requirement 2 and Conditions 1 and 8)*
  - *The subdividers shall submit a common access maintenance agreement in accordance with Section 3-1-5(a)(xxxviii) of the RCSR. (Condition 10)*
  - *The applicant is required to pay the pro rata share of the cost to improve the portions of Bowman Road and Ricketts Road leading to the subdivision prior to final plat approval, and shall obtain a pro-rata determination from the Ravalli County Road and Bridge Department. The pro-rata shall be based on 2 units. (Compliance with Applicable Regulations 'A', and Final Plat Requirement 17)*

### Conclusion of Law:

With the mitigating conditions of approval and requirements of final plat approval, impacts of the subdivision on local services will be reduced.

### CRITERION 4: EFFECTS ON NATURAL ENVIRONMENT

#### Findings of Fact:

##### Air Quality

1. This proposed subdivision will add one new home to Ravalli County. (Application, 2004 Aerial Photograph and Site Visit on 3/8/08)
2. The Montana DEQ has identified that burning sources – such as fireplaces and wood stoves – are the most common sources of particulate matter (PM-10 and PM-2.5). The smaller PM-2.5 particles, often referred to as "fine particulates," are easily inhaled and can cause tissue damage, emphysema, bronchitis, and cardiovascular complications. Children, seniors, and individuals with pre-existing respiratory diseases are most susceptible to these health risks. (Montana DEQ Citizens Guide to Air Quality in Montana' <http://www.deq.mt.gov/AirMonitoring/citguide/understanding.asp>)
3. *To mitigate impacts on air quality, the covenants shall include a provision recommending that homeowners refrain from installing wood stoves. (Condition 2)*

##### Ground Water Quality

4. The applicants are proposing individual wells and wastewater facilities. The applicants submitted water and sanitation information per MCA 76-3-622. The Ravalli County Environmental Health Department provided documentation indicating that they have received adequate information for local subdivision review to occur. (Exhibit A-6)
5. *The applicant is required to submit a DEQ Certificate of Subdivision Approval prior to final approval. (Final Plat Requirement 8)*

##### Surface Water Features

6. There are no streams, rivers, riparian areas or wetlands on or adjacent to the property. (Application, Site Visit, GIS data)

##### Vegetation

7. The applicants submitted a Ravalli County Subdivision Noxious Weed Evaluation Form that stated spotted knapweed is scattered on the property.
8. According to MCA 7-22-2152, any person proposing a development that needs state or local approval and that results in the potential for noxious weed infestation within a weed district shall notify the weed board at least 15 days prior to activity. Consequently, 15 days prior to activities requiring a revegetation plan, such as road construction, a plan shall be submitted to the weed board for approval by the board.
9. The Montana Natural Heritage Program found that there were no plant species of concern within the same sections as the subject property (Application).

10. *To mitigate impacts on the natural environment, a noxious weed control provision shall be included in the protective covenants filed with the final plat for this subdivision. (Condition 2)*

#### **Archaeological Resources**

11. In a letter dated November 14, 2007, Damon Murdo of the Montana Historical Society (MHS) stated that if any structures over 50 years old are planned for alteration, it is recommended that the National Register of Historic Places be notified and they be registered and a determination of their eligibility be made. (Application)
12. *To mitigate possible impacts on any potential sensitive historical, cultural, archaeological, paleontological, and/or scenic sites, the following statement shall be included in the covenants: "If any archaeological, historic, or paleontological sites are discovered during road, utility, or building construction, all work will cease and the developer will contact the State Historic Preservation Office to determine if the find constitutes a cultural resource and if any mitigation or curation is appropriate". (Condition 2)*

#### **Conclusion of Law:**

Impacts from this subdivision on the natural environment will be reduced with the mitigating conditions and requirements of final plat approval.

#### **CRITERION 5: EFFECTS ON WILDLIFE & WILDLIFE HABITAT**

##### **Findings of Fact:**

Montana Fish Wildlife and Parks provided comments regarding this particular proposal, and recommended "Living with Wildlife" covenants specific to this proposal. (Exhibit A-7)

The property is not located within big-game winter range. (FWP)

According to the Montana Natural Heritage Program, the Gray Wolf, Townsend's Big-Eared Bat, Bald Eagle, and Western Skink were identified as species of concern as they have been known to exist in the same section as the proposed subdivision. The subdividers requested and received a waiver from the requirement to submit a sensitive species report because of lack of habitat on the property for all species. (Exhibit A-8)

*To mitigate impacts on wildlife, the following conditions shall be met:*

- *The covenants shall include a living with wildlife section. (Condition 2)*

#### **Conclusion of Law:**

With the mitigating conditions of approval, impacts on Wildlife & Wildlife Habitat will be reduced.

#### **CRITERION 6: EFFECTS ON PUBLIC HEALTH & SAFETY**

##### **Findings of Fact:**

##### **Traffic Safety**

1. Access is proposed off Ricketts Road from Bowman Road and US Highway 93. (Application)
2. *The requirements and conditions listed under Roads in Criterion 3 will mitigate the impacts of the subdivision on traffic safety.*

#### **Emergency Vehicle Access and Response Time**

3. The proposed subdivision will be served by the Hamilton Rural Fire District, the Ravalli County Sheriff's Office, and Marcus Daly Memorial Hospital EMS Department. (Application)
4. *The requirements and conditions listed under Fire District, Law Enforcement, Emergency Services, and Roads in Criterion 3 will mitigate the impacts of the subdivision on emergency vehicle access and response time.*

#### **Water and Wastewater**

5. The applicants are proposing individual wells and wastewater facilities. The applicants submitted water and sanitation information per MCA 76-3-622. The Ravalli County Environmental Health Department provided documentation indicating that they have received adequate information for local subdivision review to occur. (Application)
6. *The applicant is required to submit a DEQ Certificate of Subdivision Approval prior to final approval. (Final Plat Requirement 21)*

#### **Natural and Man-Made Hazards**

7. According to a document titled "Radon and You, Promoting Public Awareness of Radon in Montana's Air and Ground Water" published by DEQ and the Montana Bureau of Mines and Geology, there is a high potential for radon in Ravalli County. (DEQ)
8. The preliminary plat and soils map indicate that the subdivision may have soils rated as "Very Limited" for road and building construction. (Application)
9. *To mitigate the impacts on public health and safety, the following conditions and requirements shall be met:*
  - *The protective covenants shall include a provision recommending full cut-off lighting on new construction. (Condition 2)*
  - *The covenants shall include a statement regarding radon exposure. (Condition 2)*
  - *To educate property owners and to mitigate potential impacts of this subdivision on Public Health & Safety, a notification of the potential for Very Limited soils shall be included in the notifications document filed with the final plat. A reduced plat showing the approximate locations of soils rated as Very Limited for roads and building construction and descriptions of the soils in question shall be attached to the notifications document as an exhibit. (Condition 1)*

#### **Conclusion of Law:**

The mitigating conditions and requirements of final plat approval will address impacts on Public Health & Safety.

Commissioner Grandstaff opened public comment.

John Horat stated the proposed mitigation is paying the pro rata for the road, \$2,000 to the Hamilton School District, \$1,000 for Hamilton Fire District, and \$500 for public safety.

**Commissioner Chilcott made a motion to approve D&G Farms two-lot minor subdivision and one unit subdivision for lease or rent based on the findings of fact and conclusions of law and subject to the conditions in the Planning Staff report and as mitigated here today. Commissioner Rokosch seconded the motion.**

**Discussion:** Commissioner Rokosch stated he would have liked to have seen a larger contribution to public safety. He stated he would like to see a contribution for the impacts to local services. **All voted 'aye'.**

► The Board met with Bitterroot National Forest Supervisor Dave Bull and Dan Ritter to discuss SRS funding and RAC. Present were Road & Bridge Supervisor David Ohnstad and several citizens.

Dave Bull gave an invitation of the Capitol Christmas Tree cutting ceremony on November 1<sup>st</sup> to the Commissioners. He gave a brief overview and stated over 5,000 ornaments were received.

Dave discussed SRS funding with the RAC (Resource Advisory Committee). He reviewed the consensus approach in relation to the National Forest with the Board and the back funding from SRS. He discussed how the money can be used and reallocation. The share to Ravalli County has been about \$53,000 per year and the new allocation which is a share of what the State receives which was \$1.8 million in 2008 and the share is about \$277,000.

Commissioner Thompson stated there is the ability to fund RAC under the allocation. The new allocation states it can continue with 15% to 20% to RAC. He further explained past allocations and how the allocations were made.

Commissioner Rokosch stated there were substantial changes to the use of title three. He asked if there are any changes in title two. Commissioner Thompson replied no. Dave stated the use of the funds may be used by the Secretary for the protection, preservation and to benefit the land. He stated it is open to some discretionary options. Dave stated there are a lot of projects waiting as well as community projects.

Dave discussed current openings on the RAC. He reviewed the process of how they screen potential members and what kind of representation is required. He proposed to ask the current members to move forward with names they received or were recommended. Commissioner Thompson discussed replacement members for those who are retiring. He recommended reconfirming the members of RAC. He read the requirements of membership to the Board. Commissioner Grandstaff questioned changes and the meeting on Monday for allocation of the funds. Further discussion followed regarding additional requirements for the meeting.

Dave discussed travel planning. He stated there were 750 comments received on the proposed action. They are distilling them and following up with letters to address those comments. Dan stated they are looking at the comments complied and dealing with the



issues raised such as the maps. He stated they want to be done with it by March and have a final decision by the end of 2009. Dave stated there is a court decision pending that will steer the limitation of discretion especially with maintaining motorized use. Further discussion followed regarding summer and winter motorized use.

Dave stated when the new draft of the travel plan is released in March, he would like to have some public meetings with the Board. The Board concurred with Dave and thanked him and Dan Ritter for the update.

Minutes: Glenda Wiles

► The Board met for approval of authorization to proceed on the design, development, construction documents and construction administration for the Ravalli County 9-1-1 center relocation and storage also establishment of line item for budget expenditure. **Commissioner Chilcott made a motion to approve of the design, development, construction documents and construction administration for the Ravalli County 9-1-1 Relocation and Storage Authorization to Proceed in the amount of \$70,877.25. Commissioner Rokosch seconded the motion and all voted "aye".** Discussion included instructing Internal Auditor to start a special line item for the 9-1-1 tariff monies that are coming in for payment of this contract and construction.